



EX PARTE OR LATE FILED

APR 30 1997  
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April 25, 1997

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William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, NW  
Room 200  
Washington, DC 20554

**RE:** *Ex parte* notification  
Docket No. 96-45

Dear Mr. Caton:

Pursuant to § 1.120(a)(2) of the Commission's Rules, this letter notifies the Commission that the Robert L. Hoggarth, Esq. of the Personal Communications Industry Association spoke with Daniel B. Phythyon, Esq. of Chairman Reed Hundt's staff, on Friday, April 25, 1997 via telephone to discuss issues related to the above referenced matter.

The enclosed attachment provides a complete summary of the issues discussed. Kindly contact me directly with any questions.

Sincerely,

Angela E. Giancarlo, Esq.  
Manager, Industry Affairs

Attachment

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## PCIA POSITION IN JOINT BOARD PROCEEDING ON UNIVERSAL SERVICE

- The Personal Communications Industry Association (PCIA) filed comments and reply comments in CC Docket No. 96-45.
- PCIA believes the Commission's universal service fund must be equitably funded, narrowly targeted, and technologically neutral.
  - Funding universal service at levels in excess of the minimum required amounts will adversely affect consumers and telecommunications competition
  - The Commission should use forward-looking costs to form the basis for carrier reimbursement calculations. Use of forward-looking costs would shrink the universal service fund, ensure competitive neutrality, and be consistent with the pro-competitive, deregulatory goals of the *Telecommunications Act of 1996*.
  - Universal service support should be limited to a single line to a customer's primary residence
  - Minimizing the size of the universal service fund should be adopted as an additional guiding principle
- Because CMRS is inherently an interstate service, CMRS carriers should be required to contribute only to the federal universal service support fund, and can be required to contribute to a state universal service fund only at such time as CMRS services serve as a substitute for land line telephone exchange service for a substantial portion of the communications within such state.
- Carriers should be permitted to recover their universal service contributions by way of an explicit end user surcharge separately listed on a customer's bill.
- The Commission must carefully design the contribution requirements to be imposed on telecommunications carriers which fully accounts for competitive considerations. Equitable considerations make it appropriate to exempt messaging providers from contributing to the fund or else to reduce their proportionate contributions.



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**RE:** *Ex parte* notification  
Docket No. 96-45

Dear Mr. Caton:

Pursuant to § 1.120(a)(2) of the Commission's Rules, this letter notifies the Commission that the parties listed below met with Commissioner James Quello and Mr. James Coltharp of Commissioner Quello's staff, on Friday, April 25, 1997 to discuss issues related to the above referenced matter.

The parties are: (1) Mr. Jay Kitchen of the Personal Communications Industry Association ("PCIA"); (2) Scott Blake Harris, Esq. of Gibson, Dunn & Crutcher, LLP; and (3) Angela E. Giancarlo, Esq. of PCIA.

The enclosed attachment provides a complete summary of the issues discussed. Kindly contact me directly with any questions.

Sincerely,

Angela E. Giancarlo, Esq.  
Manager, Industry Affairs

cc: Rudolpho Baca, Esq.

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Personal  
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**RE:** *Ex parte* notification  
Docket No. 96-45

Dear Mr. Caton:

Pursuant to § 1.120(a)(2) of the Commission's Rules, this letter notifies the Commission that the parties listed below spoke with Suzanne Toller, Esq. of Commissioner Rachelle B. Chong's staff, on Friday, April 25, 1997 via telephone to discuss issues related to the above referenced matter.

The parties are: (1) Robert L. Hoggarth, Esq. of the Personal Communications Industry Association ("PCIA") and (2) Scott Blake Harris, Esq. of Gibson, Dunn & Crutcher LLP.

The enclosed attachment provides a complete summary of the issues discussed. Kindly contact me directly with any questions.

Sincerely,

Angela E. Giancarlo, Esq.  
Manager, Industry Affairs

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